



**Laura Fix, Chairperson**  
**Jenny Iverson, Member**  
**Chris Gallus, Member**

### **Board Meeting Agenda, Wednesday April 6, 2022**

**Important Note: Due to the safety measures adopted by the Department of Labor & Industry in response to the COVID-19 pandemic, these reviews will be held remotely/via teleconference only.**

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### **8:30 A.M.**

Call to order-

Staff attorney's comments-

Public comments-

Approval of Minutes-

## **SCHEDULED REVIEWS**

### **Between 8:30 A.M. to 9:00 A.M.**

**Case # 1225-2022 & 1226-2022**

**ISSUE:** Whether the claimant is available for work, able to work, and seeking work, and therefore is eligible to receive benefits within the meaning of the law, as provided in *Montana Code Annotated* § 39-51-2104 and Administrative Rules Montana 24.11.452A.

### **Between 9:00 A.M. to 10:00 A.M.**

**Case # 1161-2022 & 1163-2022**

**ISSUE (Case No. 1161-2022):** Whether the claimant is available for work, able to work, and seeking work, and therefore is eligible to receive benefits within the meaning of the law, as provided in *Montana Code Annotated* § 39-51-2104 and Administrative Rules Montana 24.11.452A.

**ISSUE (Case No. 1163-2022):** Whether the claimant knowingly made a false statement or knowingly failed to disclose material facts in order to obtain or increase benefits and is therefore subject to a penalty under *Montana Code Annotated* § 39-51-3201.

**Case # 2146-2021**

**ISSUE 1:** Whether the appeal was timely filed or whether the appellant has good cause for untimely filing the appeal as provided in *Montana Code Annotated* § 39-51-2403. (13 days late to UIAB).

**ISSUE 2:** Whether the claimant is qualified to receive Pandemic Unemployment Assistance (PUA) benefits under Section 2102 of the CARES Act of 2020, Public Law 116-136.

**Case # 2173-2021**

**ISSUE 1:** Whether the appeal was timely filed or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (17 days late to OAH).

**ISSUE 2:** Whether the claimant is qualified to receive Pandemic Unemployment Assistance (PUA) benefits under Section 2102 of the CARES Act of 2020, Public Law 116-136.

### **Between 10:00 A.M. to 11:00 A.M.**

**Case # 1292-2022**

**ISSUE:** Whether the request for redetermination was timely filed for FPEUC benefits, Pub. L. No. 116-136 or whether the appellant had good cause to delay filing the request for redetermination as provided in *Montana Code Annotated* § 39-51-2402 (3). (159 days late).

**Case # 1157-2022**

**ISSUE 1:** Whether the claimant knowingly made a false statement or knowingly failed to disclose material facts in order to obtain or increase benefits and is therefore subject to a penalty under *Montana Code Annotated* § 39-51-3201.

**ISSUE 2:** Whether the claimant was overpaid benefits, and in what amount, pursuant to *Montana Code Annotated* § 39-51-3206 and Administrative Rules Montana 24.11.1205.

**Case # 1131-2022**

**ISSUE 1:** Whether the appeal was timely filed for FPEUC benefits, Pub. L. No. 116-136 or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (84 days late to OAH).

**ISSUE 2:** Whether the claimant is disqualified to receive benefits under the CARES Act PEUC provision, Pub. L. No. 116-136, due to a failure to apply for or accept suitable work without good cause, as provided in *Montana Code Annotated* § 39-51-2304.

**Between 11:00 A.M. to 12:00 P.M.**

**Case # 1192-2022**

**ISSUE 1:** Whether there was good cause to accept new evidence, under Administrative Rules Montana 24.7.312(2).

**ISSUE 2:** Whether the appeal was timely filed or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (24 days late to OAH).

**ISSUE 3:** Whether the claimant is available for work, able to work, and seeking work, and therefore is eligible to receive benefits within the meaning of the law, as provided in *Montana Code Annotated* § 39-51-2104 and Administrative Rules Montana 24.11.452A.

**Case # 1191-2022**

**ISSUE 1:** Whether there was good cause to accept new evidence, under Administrative Rules Montana 24.7.312(2).

**ISSUE 2:** Whether the appeal was timely filed or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (24 days late to OAH).

**ISSUE 3:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 1166-2022**

**ISSUE:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Between 1:00 P.M. to 2:00 P.M.**

**Case # 1244-2022**

**ISSUE:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 1299-2022**

**ISSUE:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 860-2022**

**ISSUE 1:** Whether the appeal was timely filed or whether the appellant has good cause for untimely filing the appeal as provided in *Montana Code Annotated* § 39-51-2403. (25 days late to UIAB).

**ISSUE 2:** Whether the claimant is qualified to receive benefits under the CARES Act PEUC provision, Pub. L. No. 116-136, based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Between 2:00 P.M. to 3:00 P.M.**

**Case # 1198-2022-POSTPONED**

**ISSUE:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 241-2022**

**ISSUE 1:** Whether the appeal was timely filed or whether the appellant has good cause for untimely filing the appeal as provided in *Montana Code Annotated* § 39-51-2403. (151 days late to UIAB).

**ISSUE 2:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 1208-2022**

**ISSUE 1:** Whether the appeal was timely filed or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (6 days late to OAH).

**ISSUE 2:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Between 3:00 P.M. to 4:00 P.M.**

**Case # 1267-2022**

**ISSUE 1:** Whether good cause exists for the UIAB to accept new evidence, under Administrative Rules Montana 24.7.312(2).

**ISSUE 2:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 1034-2022**

**ISSUE:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).